



# OABE News



## A Legend Among Us

Toshiba

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When I was taking my Master's Courses and studying the court cases that are historically significant to the education of bilingual/bicultural students in public schools, the cases I remember are Brown and Lau and the Civil Rights Act. There were others, but these have always stood out as landmark decisions in our field. But before the Civil Rights Act and before Lau and before Brown there was a little known case: *Mendez v Westminster*. Without this case there may not have been a Brown or Lau or Civil Rights Act. This case was a class action suit. I remembered that in the Lau case, Mr. Lau allowed his son to be the plaintiff listed in the class action suit. In a similar way, Mr. Mendez allowed his daughter to be the plaintiff in *Mendez v Westminster*. Sylvia remembers that she wanted to go to the school with the monkey bars. This little girl changed the course of history.

On February 28, at the University of Central Oklahoma Multicultural Education Institute, educators and students had the life-changing opportunity to listen to this 'little girl' who now wore The Presidential Medal of Freedom placed around her neck by President Barack Obama. Sylvia's sister, Sandra, 14 years younger, accompanied her to Oklahoma. Sandra told the story of learning about *Mendez v Westminster* when she was flipping through her textbook while studying Chicano History in a Los Angeles area Community College. She came across the case name. She read the information and realized she was reading about her sister. She asked her parents later about the information in the book. They confirmed that it was indeed their family. Their father had never seen a need to talk about the incident. It was all a surprise to Sylvia as well. She didn't remember. This quiet, unassuming woman who wore the Presidential Medal of Freedom had never known that the girl who wanted to play on the monkey bars had changed history.



For more information: <http://sylviamendezinthemendezvswestminster.com/>



## **RSA and Oklahoma's ELL: A Summary**

Beginning this spring, 3<sup>rd</sup> grade students who score at an unsatisfactory level on the Oklahoma Core Curriculum Test of reading will be retained in grade due to the amended Reading Sufficiency Act (RSA). Research has shown that students who are retained in grade are more likely to have social and emotional problems, continue to struggle academically, and eventually drop out of school. There are 14 states that have similar Reading Sufficiency Acts in place with required retention of students reading below level. Studies from those states have revealed that students show an initial academic increase in the year following the retention. However, that gain dissipates by the fifth to eighth grade years. While all of the supporting research and data on mandatory retention is scary for all students, it is even more so for the English Language Learners with which we work.

The Reading Sufficiency Act in Oklahoma includes a Good Cause Exemption for English Language Learners that states that English Language Learners that have had less than two years of English Language Development instruction and are on a Language Instruction Education Plan (LIEP) prior to the assessment can be exempted from the mandatory retention if they score at the unsatisfactory level on the OCCT reading test. There are three primary concerns with the appropriateness and equity of this exemption for English Language Learners.

Research has shown that it takes seven to ten years of English Language Development instruction for an English Language Learner to become truly proficient in the academic language, or Cognitive Academic Language Proficiency (CALP), when acquiring English. In Oklahoma, under RSA, English Language Learners have two years, or approximately 360 instructional days, to accomplish the same task.

The state of Oklahoma has adopted and implemented the WIDA English Language Development Standards to guide the instruction of English Language Learners. The ACCESS for ELLs is administered annually to all English Language Learners to measure the components of English language development using content area language. The WIDA Can Do Descriptors provide examples of what an English Language Learner can do based on the proficiency levels demonstrated on the ACCESS. The lowest score on the OCCT reading test that can qualify for grade promotion is Limited Knowledge which requires inconsistent attainment of performance descriptors at the Proficient level. In comparing these two sets of descriptors from the ACCESS for ELLs and the OCCT, there is an obvious gap in what our English Language Learners can do and what they are being required to do.

ACCESS for ELLs, 3<sup>rd</sup> – 5<sup>th</sup> Grade Cluster, Reading:

- Proficiency Level 1: Match illustrated words or phrases in differing contexts
- Proficiency Level 3: Use context clues and illustrations to determine meaning of words or phrases

- Proficiency Level 5: Draw conclusions from explicit and implicit text at or near grade level
- Oklahoma Core Curriculum Test, 3<sup>rd</sup> Grade, Reading:
- Utilize structural analysis, in combination with context clues and introductory resources, to determine the meaning of new words and multiple meanings of words.
  - Answer literal questions about the reading selection.
  - Make obvious inferences, draw conclusions, organize, classify, and compare/contrast.

Finally, there are serious civil rights concerns for the impact of Oklahoma's Reading Sufficiency Act on English Language Learners under Title VI of the Civil Rights Act of 1964 and the Equal Educational Opportunities Act of 1974. Both statutes address the legal requirement of equitable services for a discrete population. In this case, the Reading Sufficiency Act will penalize English Language Learners, a group that has already been identified by the state of Oklahoma as not being proficient in English, for not having the necessary English language proficiency required to successfully pass the Oklahoma Core Curriculum Test of reading.

Across the state, there is a growing concern for the pending implementation of the Reading Sufficiency Act's mandatory retention policy this spring. There are multiple proposals in the House and the Senate to revise, amend, and even repeal some of these requirements. It is critical that as educators and advocates for the English Language Learners with which we work on a daily basis, that we promote and advocate for equitable consideration and appropriate instructional and assessment tools to ensure our students' continued growth and success.

Laura Grisso, M.A. Title III Administrator, Tulsa Public School received the OABE Hall of Fame Award at the OABE/OKTESOL 2013 Fall Conference held at the University of Central Oklahoma



*Laura Grisso being inducted to the OABE Hall of Fame  
by Dr. April Haulman and Ms. Gina Lopez*

# Current Status of RSA Bills

## CALL YOUR LEGISLATORS



RE: HB 3240 Goes to Senate

HB 3240 recently passed in the Oklahoma House of Representatives. This bill revises to the Oklahoma Reading Sufficiency Act (RSA) to provide equity considerations for ELL and IEP students. To read the full text of the bill, please go to:

<http://openstates.org/ok/bills/2013-2014/HB3240/documents/OKD00025805/>

It is pending hearing in the Senate Education Committee. If you support this bill, please call or email members of the Senate Education Committee to get it on agenda. To contact committee members, go to:

<http://www.oksenate.gov/committees/standing/education.htm>

**The deadline to get the topic on the agenda is this week.**

*An alcoholic father, poverty, my own juvenile diabetes, the limited English my parents spoke - although my mother has become completely bilingual since. All these things intrude on what most people think of as happiness.*

Justice Sonia Sotomayor  
U. S. Supreme Court

# A Note from the President

Dear OABE Members,

Spring is near! Although this time can be stressful for both educators and students, OABE can be a source of support and rejuvenation to give you just what you need to finish the school year strong.

I am honored to be President this year and look forward to serving you. My goal for this year is to provide our members opportunities for professional growth, assistance in advocacy and support, and a role in leadership to promote reform and further our shared desire to provide the best for our students in Oklahoma.

Your membership and participation in the association is highly valuable as a professional in your school and district. To get the most out of your membership, this year you can look forward to events such as mini-conferences to give you great ideas, a chance to share your talents on a committee, and the professional networking needed to grow in the field of education. We have great teachers among OABE and we want to showcase you!

Look for information on OABE plans for our 2014 Fall Conference!

We would love to see you!

Sincerely,

*Anastasia Mendoza*

OABE President 2013-2014

